

UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN RE:
NORMA IRIS GUTIERREZ DE JESUS

CASE NO. 09-05572-ESL

CHAPTER 13

DEBTOR (S)

**TRUSTEE'S UNFAVORABLE REPORT
ON PROPOSED POST CONFIRMATION PLAN MODIFICATION**

TO THE HONORABLE COURT: NOW COMES, José R. Carrión, Chapter 13 Trustee, and very respectfully alleges and prays:

This is the Trustee's position regarding the request, under **11 U.S.C. §1329**, for the confirmation of a Chapter 13 Plan.

Debtor(s)' Income: **Under Median / 36 months commitment period.** Gen Unsecured Pool: **\$0.00**

The **LIQUIDATION VALUE** of the estate has been determined in **\$16,229.00 R2016 STM. \$3,000.00**

TOTAL ATTORNEYS FEES THRU PLAN: \$2,754.00 Fees paid: \$2,754.00 Fees Outstanding: \$0.00

With respect to the proposed (amended) Plan dated: **8/16/2011** (Dkt 37). Plan Base: **12,850.00**

The proposed (amended) plan can not be confirmed because it has the following deficiencies:

- Fails to commit all future earnings / projected disposable income to fund the plan. [§1322(a)(1)]

Debtor surrendered the vehicle to First Bank in the proposed plan. Debtor made monthly payments of \$371.00 to First Bank for said vehicle. Debtor has failed to increase plan payments in light of his new disposable income.

- Other/Comments

NONE.

Due to the above described deficiencies in the proposed plan the Trustee Objects to the Confirmation of the same.

CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(s), and to her/his/their attorney through CM-ECF notification system.

In San Juan, Puerto Rico this September 06, 2011.

/s/ Nannette Godreau -Staff Attorney

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